

AN ACT

ENTITLED, An Act to revise the grounds for which a license of an athletic trainer may be revoked, suspended, or canceled.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 36-29-18 be amended to read as follows:

36-29-18. The license of an athletic trainer may be revoked, suspended, or canceled upon any one of these grounds:

- (1) The licensee is guilty of fraud in the practice of athletic training or fraud or deceit in the licensee's admission to the practice of athletic training;
- (2) The licensee has been convicted of a felony during the past five years. The conviction of a felony is the conviction of any offense, which if committed within the State of South Dakota would constitute a felony under its laws;
- (3) The licensee is engaged in the practice of athletic training under a false or assumed name and has not registered that name pursuant to chapter 37-11, or is impersonating another practitioner of a like or different name;
- (4) The licensee is addicted to the habitual use of intoxicating liquors, narcotics, or stimulants to the extent as to incapacitate the licensee from the performance of the licensee's professional duties;
- (5) The physical or mental condition of the licensee is determined by a medical examiner to be such as to jeopardize or endanger those who seek relief from the licensee. A majority of the Board of Medical and Osteopathic Examiners may demand an examination of the licensee by a competent medical examiner selected by the board at the board's expense. If the licensee fails to submit to the examination, this constitutes immediate grounds for suspension of the licensee's license;

- (6) The licensee obtains or attempts to obtain a license, certificate, or renewal thereof by bribery or fraudulent representation;
- (7) The licensee receives direct compensation from individuals or third party payees for services rendered. However, a licensee may receive compensation from any entity sponsoring an athletic event for athletic training services provided to athletes participating in the event. For the purposes of this subdivision, direct compensation is compensation other than that received by the employing institution or athletic organization;
- (8) The licensee makes a false statement in connection with any application under this chapter;
- (9) The licensee makes a false statement on any form prescribed by the board pursuant to this chapter or the rules promulgated by the board pursuant to this chapter;
- (10) The licensee conducts continued treatment and rehabilitation procedures on individuals other than those associated with the employing institution or athletic organization; or
- (11) The licensee has violated any provision of this chapter or the rules promulgated pursuant to this chapter.

An Act to revise the grounds for which a license of an athletic trainer may be revoked, suspended, or canceled.

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I certify that the attached Act
originated in the

SENATE as Bill No. 160

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 160
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State